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STATE LAWS AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

ALABAMA.

Deaths—Certificates of. (Act Sept. 22, 1915.)

4. That section 713 of the code be amended so as to read:

713. *Certificate of death.*—A certificate of death for each person who dies shall be made out by the physician who last attended the deceased, in accordance with a form prescribed by the State board of health. In cases in which a physician was not in attendance a certificate of death may be made out and signed by any licensed physician on information furnished by a member of the family of the deceased person, or by other person: *Provided*, That when reasons exist for suspecting that the deceased person did not die from natural causes neither the attending physician nor other licensed physician shall furnish a certificate of death, but shall advise that a coroner be summoned to hold an inquest over the body.

Nuisances—Abatement of. (Act. Sept. 25, 1915.)

That section 718 of the printed Code of Alabama of 1907 be so amended as to read as follows:

SEC. 718. That whenever the health officer of a county, city, or town discovers a nuisance, or whenever complaint is made in writing to such health officer that a nuisance exists, such health officer, if the nuisance be in a municipality provided with ordinances for the abatement thereof, proceed in accordance with such ordinances, but if the alleged nuisance exist in a municipality not provided with ordinances fixing a method of procedure for the abatement thereof, or if the nuisance exist outside of the corporate limits of a municipality, the procedure shall be as follows: The health officer of such municipality, or of territory outside of the corporate limits of a municipality, shall thoroughly investigate the insanitary condition discovered, or complained of, and should he reach the opinion that the condition constitutes a nuisance, he shall promptly order the person or persons responsible therefor to remove or abate the same at his or their own expense, and shall fix a reasonable time within which this shall be done. Should the person or persons so ordered refuse or fail to abate or remove the nuisance within the time fixed, or should such person or persons notify the health officer of their refusal to abate or remove the nuisance, the health officer shall, as soon as can be done, request the chairman of the committee of public health of the county board of health to call a meeting of said committee, giving the members thereof ample notice of the time and place of meeting, for the purpose of determining the following things: (1) Whether or not the alleged nuisance is in fact a nuisance; (2) the method of abatement or removal, in case the alleged nuisance be declared in fact a nuisance; (3) whether the person alleged to be responsible for the nuisance is in fact so responsible. Due notice of the time and place of such meeting of the committee of public health shall be sent to the person or persons alleged to be responsible for the nuisance.

A quorum of the committee of public health shall consist of not less than three members of said committee. In the event of a quorum not being present those members who are present shall adjourn to a date to be fixed by them, of which date the members of said committee who were not present, and also the person or persons alleged to be responsible for the nuisance, shall be duly notified. Whenever a quorum of the said committee is present the procedure shall be as follows: All evidence that may be offered, both for or against the alleged existence of a nuisance, shall be received, and all parties directly interested shall be heard in person or by counsel, or both. At the termination of the hearing the said committee shall submit its opinion on the questions propounded, in writing, a copy of which shall be furnished by the health officer concerned to the person or persons alleged to be responsible for the nuisance. Should the opinion of the committee be that a nuisance does in fact exist, and that the person or persons charged with responsibility therefor is the person or are the persons responsible for its creation or maintenance, the health officer concerned shall prescribe the time within which the nuisance must be abated or removed and must so notify the person or persons responsible therefor. Should such person or persons refuse or fail to execute such order the health officer concerned shall notify the court of county commissioners or other board of like character, or the mayor and council or other governing body of an incorporated town in which no ordinances exist fixing a method of procedure for the abatement of nuisances, as the case may be, whereupon it shall be the duty of the court of county commissioners, or other board of like character, or of the mayor and council, or other governing body, of such town, as the case may be, to proceed forthwith to have the nuisance abated in the manner prescribed by the committee of public health and shall be authorized to incur such expense as may be involved in such abatement. At the suit of said court of county commissioners, or of other board of like character, or of the mayor and council, or other governing body, of such town, in any court of competent jurisdiction, judgment may be rendered against the person or persons responsible for the nuisance for the cost of abatement; the cost to be a lien on the property from which said nuisance was abated, provided that the person or persons responsible for said nuisance is or are the owner or owners of said property.

In the event that the owner or owners of the property on which a nuisance exists be a nonresident or nonresidents it shall be lawful to give notice to such person or persons to abate the nuisance by publication in a newspaper published in the county in which said property is situated once each week for two consecutive weeks, the cost of such publication to be assessed to such owner or owners, and if not paid it shall be considered as a part of the expense of abating the nuisance. The court of county commissioners or other board of like character or the mayor and council or other governing body of a municipality may grant a person or persons responsible for the expense incurred by such court of county commissioners, or other board of like character, or by the mayor and council or other governing body of a municipality in the abatement of a nuisance such time as may be deemed proper in which to repay such expense, any such extension of time shall provide for equal annual installments, not to exceed 10, for all deferred payments, such deferred payments to bear interest at the rate of 5 per cent per annum, payable annually: *Provided, however, That no municipality or county shall not [sic] be required to pay more than \$300 in any one year for the abatement of nuisances, unless such municipality or county has legally voted to expend larger sums, in which event the municipality or the county may stipulate an additional amount which it will consent to expend.*